

# Public Document Pack

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To: Cllr Ron Hampson (Chairman)

CS/NG

Councillors: Amanda Bragg, David Cox,  
Peter Curtis, Ron Davies, Glenys Diskin,  
Rosetta Dolphin, Jim Falshaw, Alison Halford,  
George Hardcastle, Ray Hughes, Brian Lloyd,  
Mike Reece, Gareth Roberts and Sharon Williams

18 April 2013

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Dear Sir / Madam

A meeting of the **HOUSING OVERVIEW & SCRUTINY COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 24TH APRIL, 2013** at **10.00 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

## **AGENDA**

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **MINUTES** (Pages 1 - 8)  
To confirm as a correct record the minutes of the meeting held on 21 March 2013 (copy enclosed).
- 4 **UPDATE ON THE REPAIRS AND MAINTENANCE SERVICE** (Pages 9 - 22)  
Report of Head of Housing enclosed.

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The Council welcomes correspondence in Welsh or English  
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

5 **ANTI-SOCIAL BEHAVIOUR POLICY** (Pages 23 - 60)

Report of Director of Community Services enclosed.

6 **FORWARD WORK PROGRAMME** (Pages 61 - 66)

Report of Housing and Learning Overview & Scrutiny Facilitator enclosed.

# Agenda Item 3

## **HOUSING OVERVIEW & SCRUTINY COMMITTEE** **21 MARCH 2013**

Minutes of the meeting of the Housing Overview & Scrutiny Committee of Flintshire County Council held at Delyn Committee Room, County Hall, Mold CH7 6NA on Thursday, 21 March 2013

**PRESENT: Councillor Ron Hampson (Chairman)**

Councillors: Amanda Bragg, David Cox, Peter Curtis, Ron Davies, Rosetta Dolphin, Jim Falshaw, Alison Halford, George Hardcastle, Ray Hughes, Brian Lloyd and Mike Reece

**SUBSTITUTE:** Councillor Dave Mackie (for Gareth Roberts)

**ALSO PRESENT:** Councillor Patrick Heesom

**CONTRIBUTORS:** Cabinet Member for Housing, Director of Community Services, Head of Housing, Interim Manager (Finance), Supporting People Manager, Housing Asset Manager and Housing Strategy Manager (for minute number 61)

**IN ATTENDANCE:** Housing & Learning Overview & Scrutiny Facilitator, Environment & Social Overview & Scrutiny Facilitator and Committee Officer

**57. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

No declarations of interest were made.

**58. MINUTES**

The minutes of the meetings held on 22 January and 21 February 2013 had been circulated with the agenda.

**Matters Arising - Minutes of 21 February 2013**

Minute number 53: Sheltered Housing Improvement Project - Councillor A.M. Bragg expressed her appreciation to officers following positive feedback she had received from a Warden.

Minute number 54: PDA and Capita Update - Councillor J.E. Falshaw asked for an update on negotiations with Capita. The Head of Housing reported that officers had met with the suppliers of both the device and the software and that progress was being made. She said that an update would be brought to the next meeting.

**RESOLVED:**

That the minutes be approved as a correct record and signed by the Chairman.

**59. DISCRETIONARY HOUSING PAYMENTS 2013/14**

The Interim Manager (Finance) introduced a report to consider the Council's revised Discretionary Housing Payment (DHP) Policy for 2013/14 following consideration of the item by the Corporate Housing Overview & Scrutiny Committee on 14 February 2013. Views taken by both Committees would be reported to Cabinet in April 2013.

The Interim Manager explained the background to DHP which provided short-term financial assistance to help residents with their housing costs. She spoke of the challenges faced by householders due to welfare reforms and said that the Council could not rely on DHP to underpin any under-occupancy problems. In detailing the criteria used to assess entitlement to DHP, she said that this could not be used for help with Council Tax liability.

Councillor G. Hardcastle asked for clarification on the criteria described in the report. The Interim Manager said that the individual's circumstances would be taken into consideration together with steps that the person had taken to find alternative accommodation, however it was acknowledged that private sector rents were higher.

Councillor A.M. Halford asked if any thought had been given to Member involvement in the decision-reviewing process. The Interim Manager said that this could be considered in due course.

Councillor R. Dolphin referred to residents who were still struggling with living costs despite moving to more manageable properties. She pointed out that DHP was a short-term solution whereas this was a long-term problem. The Interim Manager stressed that DHP was not a panacea and that funding was not unlimited, however each case would be considered individually. The Welfare Reform Board understood the difficulties and assistance with budgeting could be provided to help residents make choices.

Councillor P.J. Curtis spoke of the unfairness in penalising residents who lived in under-occupied properties and the reduced funding available to Local Authorities who were aiming to help residents.

In praising the efforts of Flintshire housing officers, Councillor Hardcastle pointed out that all Authorities were in the same position.

Councillor Halford referred to comments made at a previous meeting by the Leader of the Council on the aspiration for the Council to build houses, which was an item included on the Forward Work Programme.

**RESOLVED:**

- (a) That the Committee support the revised Discretionary Housing Payment (DHP) Policy for 2013/14; and
- (b) That the views of the Committee be reported to Cabinet in April 2013.

**60. SUPPORTING PEOPLE COMMISSIONING PLAN, HOUSING**

The Supporting People Manager introduced the report to update Members on the Supporting People Programme in Flintshire and to seek approval for the Supporting People Local Commissioning Plan and the Local Spend Plan.

It was reported that the Supporting People Programme was undergoing significant changes due to reduced funding and a move to regional arrangements. An intermediate Plan had been produced to cover the 12 month period leading up to the Regional Commissioning Strategy and a regional collaborative committee had been established. A commitment had been given to set up 'off the shelf' projects which could be run at short-notice to support the work of the Welfare Reform Board. The Supporting People Manager detailed the list of new committed projects, realignment actions and reductions in funding in the Local Commissioning Plan.

In response to queries raised by Councillor A.M. Halford, the Supporting People Manager explained that the Plan would be approved by the Committee and then endorsed by the Regional Collaborative Committee. The reference to Telecare had only been in relation to service development due to community alarms being funded by Supporting People. On the list of client groups within the Plan, it was explained that more generic projects were preferred over specific provision which would have limited demand. The 'zero' number of units was not an indication of lack of provision and work was ongoing in these areas. On the inclusion of service personnel as a client group, the Supporting People Manager confirmed that this group was picked up and that services were available if the need was identified.

Councillor D.L. Cox raised concern about the limited funding available to meet ongoing demand. In sharing this concern, the Supporting People Manager said that the approach being taken by the service was currently working well and that such changes to service delivery could make a difference.

**RESOLVED:**

That the Committee supports the Flintshire Supporting People Local Commissioning and Spend Plan.

**61. QUARTER 3 SERVICE PERFORMANCE REPORTS**

The Director of Community Services introduced a report for the Committee to note and consider the 2012/13 Quarter 3 (October to December 2012) service performance reports, note the position of the Strategic Assessment of Risks and Challenges (SARC) and progress made against the Improvement Targets contained within the performance reports. He reported on the improvement of many key performance indicators including some which had exceeded their targets but recognised that some major challenges remained. He thanked the Committee, senior Members, Head of Housing and teams for their positive contributions which had led to the improvements.

The Director gave a short presentation on performance, outlining work which had been undertaken to improve performance and areas where improvement was needed, as outlined within the report.

The Cabinet Member referred to a report from some years ago which had been highly critical of the Housing service, including spend on bed and breakfast accommodation. She said that the comments made by Councillor Attridge, the Executive Member at that time, had led to a commitment given to improve the situation. She said that this had been a challenging journey and that the appointment of the Head of Housing had resulted in significant improvements to the service. In thanking the Head of Housing, management team and workforce for their achievements in performance, she said that this backed up the commitment given to housing tenants who had voted in the ballot.

The Director commended Simon Abbot for his work on the report and gave assurance that the increase in sickness absence figures was being addressed and progressed through the Council's procedures.

Councillor G. Hardcastle asked if the Chairman would send a personal letter to the Housing workforce to express the Committee's appreciation for their hard work over the years. The Chairman agreed to liaise with the Facilitator on this.

Councillor A.M. Halford asked what steps had been taken to reduce sickness absence levels and whether there was any link between this and the inconsistency in carrying out appraisals. The Director assured Members that sickness absence had been identified as a key area for improvement within Housing services with declining figures on four out of the five service areas. The differing issues behind short and long-term absences had been recognised and addressed by separating these types of absences. When intervention was required on absence levels, this was recognised and taken forward and a more flexible approach taken to help employees return to work from long-term absences by offering them more appropriate duties.

The Head of Housing said that the report highlighted an increase in sickness absence levels in the Asset Management Team but that accidents at work were more likely to occur in this area. Appraisals included discussion with the employee on their performance, which was impacted by attendance. She agreed that regular appraisals would help to manage attendance and also spoke of the importance of one-to-one meetings with the workforce. Issues in fully complying with the new Sickness Absence Policy had been addressed and appraisal timeframes were now in place. The inconsistency in carrying out appraisals had been due to training required for Team Leaders to effectively carry this out. There had also been sharing of good practice during senior management team discussions.

In relation to trades staff who were returning to work from long-term sickness with an injury preventing them from carrying out their usual duties, the Housing Asset Manager said that efforts were made to accommodate them in other suitable areas whilst taking consideration of skills matching and office capacity.

Following comments from Councillor R. Dolphin on an incident in a pensioner's bungalow, the Cabinet Member for Housing confirmed that there were communication links between the Capital Works team and Social Services for Adults and Children. The Director also gave assurance of shared communication between Social Services and Housing, but pointed out that officers would be unable to intervene if a person refused assistance. He confirmed that work was in progress for Warden services to be accessible to as many residents as possible. Councillor Dolphin welcomed the piloting of the Financial Awareness workshops and asked if a letter could be sent to residents advising them of any available option for payments to be taken out at source. The Head of Housing advised that there was an option for vulnerable people to opt for direct payments but that this would be time limited. A 'jam jar' account was available through the Credit Union where payments could be directly allocated to pay for rent etc.

In response to a request by Councillor Hardcastle, the Housing Asset Manager detailed the procedure for dealing with sickness absence. He also confirmed that in regard to trades staff returning to work, the same rate of pay applied regardless of the duties allocated.

Following a query by Councillor Halford on the average number of days that homeless households spent in other temporary accommodation, the Head of Housing commented on the challenging nature of this performance target as some families refused offers to move on which meant that they remained in temporary accommodation for a longer period. The example cited in the report related to a family who had been adequately housed and were awaiting permanent accommodation and it was likely that the penalty points had arisen from a previous tenancy. She said it was important to note that the temporary accommodation was good quality housing and was not bed and breakfast provision and went on to say that once residents had moved to another property, the support would continue to ensure that they managed their tenancy successfully.

Councillor Halford asked if a scheme similar to the 'Genesis' project was available to help families improve their life skills. The Supporting People Manager said that the Supporting People service did not provide specific support aside from the financial awareness course and that services to help residents were more cost effective than dealing with homelessness.

On gypsy-traveller accommodation, Councillor Halford sought an update on the Riverside site from the Housing Strategy Manager who was present in the public gallery. He reported that a ground condition survey had been completed and that the results of a flood risk assessment were awaited. A planning application for an extension to the site would be submitted upon completion of the flood risk assessment, however access remained an issue. The findings of the Gypsy-Traveller Needs Assessment had been agreed by Local Authorities and would be submitted for approval. In addition, consideration would be required on the content of the White Paper on Local Authorities' duty to make provision for gypsy/traveller accommodation and the need to include site provision in the Local Development Plan process.

In welcoming the decision to split sickness figures between long and short term absences, Councillor P.J. Curtis pointed out that sickness absence was an issue in other areas of the Council and was not unique to Housing.

Councillor A.M. Bragg advised that she had written to the Prime Minister and Deputy Prime Minister in relation to concerns about direct benefit payments made to vulnerable people under Universal Credit. A response from the Deputy Prime Minister's office had referred to the launch of six demonstration projects throughout the UK to prepare for these changes. Councillor Curtis stated that Torfaen Council were involved in one of the projects. The Head of Housing was aware of a project mentioned under discussion on welfare reforms which may be the same report.

On empty homes, Councillor M.A. Reece welcomed the progress made by letters sent to homeowners which offered assistance.

The Chairman referred to the improvement in rent arrears performance and asked if there were plans to provide additional resources in the Income Maximisation Team to deal with the upcoming significant challenges. The Head of Housing said that although the target had not been achieved, good progress had been made by reducing rent arrears by £50K from the same time as last year. To address the impact of welfare reforms, additional temporary resources were being considered for the Welfare Rights team in assisting Council tenants to claim additional benefits.

On the 'bedroom tax', Councillor Dolphin asked for clarification on whether a box room would be classed as a bedroom. The Head of Housing explained that in line with criteria in Welsh Government guidance, a bedroom should be classed as such if a bed could fit into the room. Members who were aware of genuine cases where this should not apply were encouraged to refer them to the Housing section. It was acknowledged that each case would need to be considered on its own merits, however any re-assessment of bedrooms may possibly impact on the HRA.

The Cabinet Member for Housing commented that properties with a separate dining room and living room could also be categorised as having an additional bedroom. The Head of Housing agreed, saying this was included in legislation. She also advised Members that visits to tenants identified as under-occupying properties had resulted in only a very small number being deemed as such.

**RESOLVED:**

- (a) That the comments/observations of the Committee are fed back to the Corporate Resources Overview & Scrutiny Committee who are responsible for the overview and monitoring of improvement targets; and
- (b) That the Chairman liaise with the Facilitator to send a personal letter to the Housing workforce to express the Committee's appreciation for their hard work over the years.



## **62. FORWARD WORK PROGRAMME**

The Housing & Learning Overview & Scrutiny Facilitator introduced a report to enable the Committee to consider the Forward Work Programme. She detailed the items scheduled for the next meeting on 24 April 2013 including the item on Anti-Social Behaviour which had been moved, as agreed at the last meeting.

Councillor A.M. Halford suggested that items for future meetings could include the use of consultants and an update on the success of the financial awareness workshops. Following earlier discussion, she also asked if an item on sickness absence could be included for the meeting in July 2013. When asked if the item on consultants would be best covered by the Corporate Resources Overview & Scrutiny Committee, Councillor Halford acknowledged the overlap with that Committee but stressed the importance of Overview & Scrutiny Committees monitoring the spend on consultants in areas within their remit.

The Head of Housing suggested that an item on ways to support the development of affordable housing in the county could be scheduled for a future meeting. She said that progress on the business plan for the Housing Revenue Account (HRA) and achieving Welsh Housing Quality Standards could link to the HRA Subsidy item. In reference to the Adopted/Unadopted Land item due for consideration at the April 2013 meeting, she commented that this had been overtaken by the report by the Head of Streetscene on transferring the management of HRA land co-joined with Council owned land.

It was agreed that the Chairman and Facilitator would liaise with the Head of Housing and Cabinet Member to schedule items into the Forward Work Programme.

Councillor G. Hardcastle asked if a progress report on the vehicle tracking system could be submitted and Councillor R. Dolphin asked about progress on the planned maintenance programme. The Head of Housing said that both of these issues and PDA devices would be incorporated in the item on Repairs & Maintenance due at the next meeting.

In relation to discussion on building on Council land, Councillor R. Hughes pointed out that some land was not suitable for this purpose. The Head of Housing explained that the Head of Assets & Transportation was in the process of carrying out a mapping exercise on garages and HRA land, with options to be submitted for Members' consideration. The Cabinet Member for Housing commented that this would be mentioned in the next tenants' newsletter.

The Housing Asset Manager reported that following a restructure of the Asset Management Team, Tony Jones had been appointed as Capital Works Manager, Kevin Eccles and Ian Peters as Operational Team Managers and Denise Price as Business Performance Manager. Councillor Halford remarked that photographs of the officers would be helpful for Members.

**RESOLVED:**

That the Chairman and Facilitator liaise with the Head of Housing and Cabinet Member on the items submitted for the Committee's Forward Work Programme.

**63. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There was one member of the press in attendance.

(The meeting started at 10.00 am and ended at 11.40 am)

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**Chairman**

## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** HOUSING OVERVIEW AND SCRUTINY COMMITTEE

**DATE:** 24<sup>TH</sup> APRIL 2013

**REPORT BY:** HEAD OF HOUSING

**SUBJECT:** UPDATE ON THE REPAIRS AND MAINTENANCE SERVICE

### **1.00 PURPOSE OF REPORT**

1.01 This report will update members on the progress of the repairs and maintenance service performance improvement work streams.

### **2.00 BACKGROUND**

2.01 The Asset Management Team have been progressing a number of service improvement work streams to improve the quality of services delivered to tenants and provide the foundations for improved and sustained performance.

The work areas currently being progressed are:

- Implementation of revised staffing structure
- Staff Development
- Review of Vehicle Fleet and Trackers
- Implementation of mobile working
- Extend hours of repairs service
- Improve reputation and performance of repairs service
- Establishment of an in house adaptations team
- Delivery of Capital works scheme
- Further development of the stores service
- New Schedule of Rates

### **3.00 CONSIDERATIONS**

#### **3.01 Implement revised staffing structure**

Job Evaluation results were received in December for all posts within the Housing Asset Management Service. Following a review of the results by the management team a number of appeals were submitted on the basis that the team felt certain posts had not been fully understood and therefore not evaluated correctly. The appeal results were returned in mid February and the management team felt that these results better reflected the posts and associated duties.

All Housing Asset Management staff members have been informed, team by team, of the results of the job evaluation process together with the proposed next steps. Trade Union colleagues have also been kept informed throughout and have supported staff in relevant meetings. Following a comprehensive recruitment process, the permanent positions of Housing Asset Manager, Operations Manager (x2), Capital Works Manager and Business Performance Manager have all been filled.

Work has also been on-going in terms of desktop assimilation from previous posts to new posts within the structure and also a number of cases for individuals where there is no suitable job match have also been progressed on the grounds of EVR.

The next phase for implementation will be the assimilation or recruitment to the Team Leader/Officer level and alongside this, any new posts within the structure being advertised. The final date for full implementation is expected to be 30<sup>th</sup> June 2013.

#### **3.02 Staff Development**

##### **3.02.1 Technical Certificate in Multi Skilling**

Housing Services pays an enhanced rate for its trades staff to perform additional skills to their main trade. Some staff are meeting this requirement fully but a significant number of staff do not yet fully meet this standard. A training programme has been developed in partnership with Deeside College Construction Department, to provide all trades staff with the required skills to become fully competent in a range of tasks that will allow them to attain a Level 2 NVQ in Multi Skilling. Attainment of this qualification will assist the trade operative to:

- a) improve the quality of their work
- b) complete more work in one visit
- c) improve productivity
- d) assist in the delivery of the repairs by appointment process

This will also have a positive impact for tenants and on customer satisfaction as it will provide the platform for a higher rate of jobs being

completed on the first visit.

Following initial feedback and evaluation on the multi skilling programme some issues were uncovered with the delivery model and a negative impact on operational output. A review of the model has taken place between management, training, Trade Unions and Deeside College to amend the model and improve the outcomes and benefits for both trades staff, and the Asset Management service as a whole. The new model involves Deeside College developing a training calendar to offer short burst training in each multi-skilling area. Each course will be 1 day a week for 4 weeks. Trades staff who are competent in their own area will not need to attend and will be signposted direct to an assessment for that area of work.

The new model commences in June and will have no impact for the candidates already undertaking the framework but will ensure that future cohorts have reduced operational downtime and avoid any duplication of attending learning sessions involving their primary trade.

Now all operatives will be completing some modules from the start of the new programme rather than one group starting and fully finishing the qualification whilst others wait for up to two years before commencing. This will help to create a culture of continuous improvement throughout the workforce. Each operative will still complete the full Level 2 Technical Certificate in Multi Skilling by the end of the programme, which is expected to be in 2016.

### **3.02.2 Further Training**

All Housing Asset Management staff are scheduled to attend training for dealing with complaints and using the outcomes to improve services and customer experience for the future. This training course has been tailored to the needs of the Housing Service and will enable staff to deal with complaints effectively.

Following the full implementation of the permanent staffing structure the management team are working closely with the training section to deliver a Site Managers Supervisors Training Scheme for all Team Leaders and Contract Surveyors. This course specifically covers all aspects of Health and Safety for teams carrying out jobs on-site with the aim to enhance knowledge on key areas such as working at heights and to reinforce the importance of effective site management. Work is also on-going to develop training for elements of the workforce and staff on green deal and renewable energy solutions.

### **3.03 Review of the vehicle fleet and trackers**

#### **3.03.1 Fleet**

Consultation has been on-going for a significant period regarding the removal of vehicles from certain posts within the service. The Joint Trade Unions submitted a grievance in relation to this proposal. This grievance was not up-held and it has been agreed that vehicles will be removed in conjunction with the implementation of the structure. This will ensure that individuals retain the vehicle until the point that they are either assimilated or appointed into the new positions on the structure. At this point the vehicles will be removed achieving the £80k efficiencies from lease, repairs, servicing and running costs.

#### **3.03.2 Tracker Investigations**

A number of investigations relating to vehicles and tracker information have been ongoing and have now been concluded. There were various outcomes as a result of these investigations and there were also a number of improvements that were determined as part of the process that would aid the service moving forwards. A number of measures have already been taken including refining the tracker system and its use and benefits as a management tool, revisiting management procedures on call out and overtime and re-training on HR systems and policies.

The Housing Asset Management Team are also working closely with the Trade Unions on improving policies, practices and inconsistencies discovered throughout the investigation process. The Investigating Officer and Senior HR Advisor also compiled a summary report following the investigations which covered all recommendations established throughout the process in order to ensure service improvements were realised for the future. All actions are on target for implementation.

### **3.04 Implementation of mobile working**

Extensive work has been on-going by the IT team to resolve the issues hampering the full implementation of mobile working. A new code server has been built by the IT department to support the open mobile system and comprehensive testing of this new server has been in progress. To date the server that was used to support open mobile, also supported other IBS systems and this resulted in limited capacity within the server. The new server is dedicated purely to open mobile and will provide significantly increased capacity for handling high levels of data transfer. The new server is seen as a very positive move forwards in terms of contributing to the improvement of mobile working system issues and improving the communications when transferring data. Capita are supporting the development of this dedicated server and are working with the IT team to configure the new system. Following final

testing and configuration the new server will be migrated into the live system. This is to be completed by mid April.

Alongside the server development, FCC have continued to work closely with the relevant companies to resolve other outstanding issues. The software supplier committed to provide a single upgrade file (CAB11) to address numerous software issues that had been experienced. This was provided and installed in the test environment and will be integrated into the live open mobile system at the same time as the migration of the new code server. The anticipated go live date for the new version of the software is the end May.

Support provided by the software supplier to resolve software issues and prioritise helpdesk calls etc has improved following the detailed discussions that have been held over recent months. Additional staff capacity has been employed. Account meetings will continue to ensure that this level of service and priority is maintained until all issues are resolved.

### **3.05 Introduction of an extended service hours**

Extensive work has been on-going to introduce an extended hours service. Following a comprehensive review of the previous pilots and lengthy discussions and negotiations with Trade Union colleagues a revised proposal with two separate work patterns was agreed. This proposal ensures that each working day and in particular the days of peak demand for Responsive Repairs remain adequately resourced whilst also providing an extended working day for customers. Expressions of interest were sought from the trades staff and 25 applications were received. This included a variety of trades for each working pattern. The working group, including trade union representatives and Human Resources colleagues are now finalising operational and contractual details. Once agreed the new extended hours service of 8am till 6pm will be implemented and this is anticipated to be 1<sup>st</sup> June 2013.

Alongside the work to introduce an extended working day, consultation has taken place with trades staff regarding the reduction of a 38 hour working week to a 37 hour working week. Historically trades staff have worked an extra hour per week in return for an additional 6 days annual leave per annum. The Housing Asset Management team have consulted with Trade Union colleagues and staff and new contracts have been issued to take effect from 1<sup>st</sup> April 2013. This agreement will bring consistency with other services in the Authority. The new negotiated arrangement has significant benefits to the service as this equates to an equivalent of 2-3 additional full-time trades staff available throughout the year.

In addition to the revised contracts being issued, management guidance will also be issued which will cover call out procedures, vehicle

management and travel time. This will cover some of the recommendations found as part of the tracker investigations in terms of issuing clear guidelines to staff to achieve a consistent approach across the service.

### 3.06 **Improve reputation and performance of repairs service**

The team is continuously looking to improve the performance and reputation of the service and provide a first class service to tenants.

Housing Asset Management has made significant progress over the previous two quarters in all categories of performance. Most noticeably is the improvement in the average days taken to complete a non-urgent repair.

<b>Period</b>	<b>Emergency</b>	<b>Target</b>	<b>Urgent</b>	<b>Target</b>	<b>Non urgent</b>	<b>Target</b>
<b>Q1 2012/13</b>	0.55	0.5	8.87	8.5	82.16	35
<b>Q2 2012/2013</b>	0.56	0.5	8.08	8.5	43.63	35
<b>Q3 2012/2013</b>	0.45	0.5	7.99	8.5	24.22	35

This is the first time that this category has achieved the target and is a huge success. The reasons for this include operational improvements; ensured correct classification of the repairs; and continuing to increase the number of repairs being carried out by appointment.

There are still a small number of jobs that are out-of-target but as we are completing the majority of repairs within target - and many in just a few days, the average is significantly improved. There are many factors that will influence the average and the team would like to make members aware that this average may fluctuate. The Christmas period and the recent adverse weather may impact on performance in all categories in Q4 and Q1 2013-14 as the workforce will have been redeployed from completing non-urgent repairs to carry out essential emergency and urgent work.

Urgent repairs also demonstrate a positive improvement in quarter 3 from 8.08 to 7.99 days. This improvement is partly down to improved control measures being implemented and partly due again to ensuring that any additional works are not completed on the same works instruction.

Housing Asset Management are also predicting to complete over 46,000 jobs this financial year which is over 2000 more than last financial year.



### 3.07 In-house Disabled Adaptations Team

Provision of disabled adaptations is a statutory duty placed upon Council's and housing providers. On 1<sup>st</sup> February 2012 a proposal was presented to Housing Overview and Scrutiny Committee for the establishment a dedicated team for the delivery of adaptations within Council properties. This was a move away from the existing system of tendering the work to a pool of local subcontractors.

The Committee supported this proposal subsequently agreed by Cabinet to pilot the team for a period of 12 months. This would allow the Service to evaluate the timeliness and cost effectiveness of the team, against the previous arrangements. It would also identify whether there are further benefits to closer integrated working.

Council house adaptations are funded via the Housing Revenue Account (HRA) and £1m per annum is allocated for this purpose. However, as the Service is in Year 2 of a six year asset management strategy to bring its properties towards the Welsh Housing Quality Standard, the more cost effective the provision of disabled adaptations is; the more money that can be made available for WHQS works.

#### ➤ Evaluation

It was envisaged that the in house team would provide: -

- Improved timescales
- A more cost effective service
- A more efficient service through improved communication and opportunities for adding value.

#### ➤ Improved Timescales

In order to evaluate the impact of the in-house team on the delivery of major adaptations, a direct comparison of the 6 months before and after the pilot has been carried out. The following are the average timescales by most popular work type.

<b>Work Type</b>	<b>Average Timescale Before</b>	<b>Average Timescale After</b>
Level Access Shower	128 Days	52 Days
Shower over Bath	58 Days	25 Days
Mixed work combinations	152 Days	43 Days

Stairlifts have been excluded from the above figures, as they are provided under a framework agreement which contains target timescales.

As can be seen from the figures to date, adaptations are being delivered much more quickly by the in house team than through the existing subcontractor arrangements. This is due to the effectiveness of the team, who have worked with Travis Perkins on a standard stock of

items. It is also due to the removal of the need to tender each job on an individual basis.

➤ **Cost effective Service**

In order to make a comparison between the cost per job, information has been considered over two six month periods. The two data sets are under the old subcontractor system and a second six month period under the new in house system. The in house team has completed 33 major disabled adaptations over the last 6 months. These jobs have been costed with an average value of £4646.18. This compares favourably with the subcontractor rate previously, where an average job was valued at £5,238.08. Therefore, the saving on an average major adaptation is £591.90 under the new arrangements. These figures are robust on the basis that the majority of major adaptations fall in to the three work types identified above.

This lower figure is largely as a result of stripping out the subcontractor profit element and the cost of materials was below the 35% originally anticipated, due to all materials (with the exception of stairlifts) being accessed through the Travis Perkins Stores Facility, under the favourable terms of the Council's contract.

➤ **Added value**

There have been a number of additional benefits to bringing the Service in house, in addition to improved timescales and reduced cost. The Disabled Adaptations Team reports to the same Operations Manager as the Void Team. This has provided collaborative opportunities for both teams. The result is that where properties have become void and there is an identified disabled tenant, adaptations can now be carried out at void stage. As well as improving timescales for adaptations, this also assists with property letting times and the 7 day housing management target. Previously adaptation work would have taken place after the property had been made available for letting.

Given that the majority of works are bathroom adaptations, the Disabled Adaptations Team have been in discussion with the Capital Works Team to secure additional funding to ensure that all adapted bathrooms meet WHQS. Previously, the adaptation would have been provided, e.g. a Level Access Shower installed and the remainder of the bathroom, if there were no repair issues, would not be improved. However, subject to formal agreement all bathroom adaptations will meet WHQS, further assisting the 6 Year Housing Asset Management Strategy and contributing to an earlier completion date for WHQS compliance.

Finally the team has further promoted communication between Housing Asset Management, Housing Renewal and Neighbourhood Housing Management. It allows the Housing Service to offer our tenants a

timely, cost effective and person centred service. It is our intention to introduce customer feedback for this element of the service, to ensure it continues to meet our tenant's expectations. Should the establishment of the team be supported on a permanent basis, the outcome of this work will be reported at a future Scrutiny Committee.

### 3.08 **Delivery of Capital Works Scheme**

The Capital Works programme for 2013/14 was intended to provide 600 Heating upgrades, 922 Kitchen replacements, 884 Smoke Alarms and 56 Bathroom replacements. The year end to date is projecting that actual delivery will be 1050 Heating upgrades, 1081 Kitchen replacements, 2,700 Smoke Alarms fitted and 102 Bathroom replacements. This is an excellent achievement and demonstrates the hard work that has gone on to manage and progress these projects.

The largest of the contracts is the Kitchen replacement programme and the new tender that started in the second half of the year was initially split 50/50 with two contractors. The second year of the contract, 2013/14, was always intended to be let on a split dependant upon performance of the previous year. Throughout January and February there were an increased number of issues in relation to one contractor. As a consequence, during the month of March, the Capital Works Team along with a number of partners completed various on site inspections to collect data on the contractor's performance. Inspections were completed to look at Health and Safety issues on site; the installation of ventilation equipment; the overall quality of workmanship and Tenant Auditors looked at the experience gained from a Tenant's perspective. All the information gathered from the above provided adequate data to reapportion the contract to the best provider.

In addition to the main work streams, the Capital Works team has re-visited all the Fire Risk Assessments and the DDA schemes and are now on site with Contractor's, helping Housing Asset Management to fulfil its legal duties. Capital Works have worked closely with the Housing Teams in managing and actioning items as highlighted in the Fire Risk Assessments and also to ensure our joint duties are dealt with correctly. Joint site visits are taking place to deal with management issues, clearance of debris and household items and to ensure that fire alarm checks and procedures are in place. The Capital team will shortly be in a position to discuss the ongoing improvement works with the North Wales Fire and Rescue Service in order to monitor our on-going progress.

Moving forwards into 2013/14, schemes and contractors are already in place for the following works; Fire Risk Assessment; DDA works; Kitchen replacements; Bathroom replacements; Heating schemes and Smoke Alarms. This is a positive improvement on previous years where contracts have started 2-3 months into the new financial year and will aid the efficient and effective delivery of the schemes. The Capital

Works team also have additional funding for other schemes such as external environmental works and contractors and schedules will be identified for these in the new financial year.

An additional budget line has been included into the 2013/14 programme for the provision of gas in areas that were originally unobtainable. The Capital team have been in discussions with Wales and West to choose the most economically viable schemes that we can progress with and provide gas in lieu of existing methods of providing heat such as Oil or Electric. The Capital Works Team will work closely with the energy team to maximise the external funding that is available, ensuring future schemes can be programmed in to other areas that require off gas solutions.

### **3.09 Further developments of the stores service**

The managed stores service has been operational 12 months now and has proved to be a significant improvement for the service both operationally and culturally. Travis Perkins have agreed to do an end of year presentation once accounts are finalised to the Senior Management Team and Housing Cabinet Member to report on performance, improvements made and efficiencies realised.

In the financial year 2012-13, Housing Asset Management are predicted to complete over 46,000 repairs which is over 2000 more than the previous financial year. Material spend in 2011-12 was £1.79m and in 2012/13 is predicted to be circa £1.65m. These figures demonstrate a reduction in spend of around £140k on materials from the previous year with also over 2000 additional repairs being completed by the service. These spend figures also include the management and running costs of the new facility which in previous years would have been costed at around £100k. Therefore a cashable efficiency of c£240k has been achieved and 5% more repairs completed. This also demonstrates a reduction of almost £4 in the average cost per repair from £40 to £36. Further efficiencies are predicted to be made following the full implementation of managed van stocks and electronic trading.

Another benefit of the managed stores is the standardisation of stock which is achieved through purchasing 95% of the services materials from one supplier. This has enabled the department to standardise materials used within tenants homes, link in with Capital Works specifications and align the operational activities with the Asset Management Strategy. This will also realise considerable efficiencies in the future in particular in respect of standardised parts required when attending to repairs.

Tool hire and purchase have now also been incorporated into the managed stores contract. This will achieve further efficiencies in cost but more noticeably result in considerable operational improvements such as no requirement for PAT testing in-house, full risk assessments

covered with each item of equipment and a repair and replacement agreement as part of the contract.

Work now continues to further develop the stores service with the main objectives as follows: -

- Electronic Trading – Electronic Trading allows orders and invoices to be matched electronically which will provide significant efficiencies for back office processes.
- Van Stocks – A complete review of van stocks is being undertaken with the aim to phase in over a number of months a fit for purpose van stock for each operative. This will reduce visits to stores and importantly aid the objective of completing repairs on the first visit as operatives will have the required materials on the van. This will have to be introduced in conjunction with the embedding of mobile working to enable automatic stock replenishment but will realise the most significant efficiencies for the service once introduced.
- Develop Management Information – Ongoing reviews of stock requirements and product specifications will continue to take place over the next 12 months and the development of key performance indicators and management information will aid continuous improvement throughout the contract. Benchmarking exercises on cost of materials will also be carried out annually.

### 3.10 **Implement a New Contact Centre system**

The new contact centre was implemented, on schedule in December 2012. This has provided a much improved service to customers and has provided a solution to the problems that were being experienced since the relocation from Canton Depot. The new system allows for a queuing facility in times of high demands, provides a call recording mechanism and facilitates messages to be relayed for times of peak demand or emergencies. The contact centre now allows for hot desking and also for desk phones to be transferred to mobiles if staff are out on site.

Further work will now be undertaken in terms of developing monitoring and performance reports. Reports will be developed to monitor number of calls, capacity within the call centre, calls answered within target and analysis of times of high and low demand. This will enable analysis of staffing levels and possible seasonal variations. The call monitoring facility will also be a useful tool for staff training and will also provide an element of security for staff handling calls.

### 3.11 **Schedule of Rates**

Following the selection of the new schedule of rates a great deal of work and consultation has taken place with Trade Union colleagues and a task group from the workforce. The group analysed the proposed new

schedules to identify any rates included that were not required and any areas where additional rates were required. Training has now taken place for both the trades and office staff and each will be provided with a new schedule of rates book detailing all new codes.

Work has also been underway to ensure that IT systems are prepared for the upload of the new rates and to ensure successful implementation for the new financial year. A large amount of work will be required to transfer all old jobs, logged or allocated, onto the new schedule of rates. Members should be made aware that this may have a short term impact on performance data whilst this work is undertaken.

The new schedule of rates will bring about a number of benefits for the service and will form a large part of the required culture change within Housing Asset Management. The new schedule of rates has significantly reduced codes, amended times that will only be visible in the back office systems and will encourage a culture different to the previous bonus scheme working practices. Through a reduced schedule, trades staff will be encouraged to self assess significantly more jobs and carry out the work required on the same visit rather than the current practice which encourages a large amount of inspections before work is carried out. Average times for repairs will be a performance and productivity measure assessed in the background and will therefore encourage a culture of completing jobs in the time needed without referring to set times (included in the former schedule of rates).

### 3.12 **Next Steps**

Delivery of service improvement work streams will continue and will be reported regularly to this committee.

## 4.00 **RECOMMENDATIONS**

4.01 Members are asked to note the positive progress being made to improve performance and to deliver the service improvement work streams.

4.02 Members support the permanent establishment of the in-house disabled adaptations team.

## 5.00 **FINANCIAL IMPLICATIONS**

5.01 None as a direct result of this report

## 6.00 **ANTI POVERTY IMPACT**

6.01 None as a direct result of this report, though works to maintain and improve the stock and repair and maintenance services provide a direct benefit to the lives and living conditions for some of the poorest Flintshire residents.

**7.00 ENVIRONMENTAL IMPACT**

7.01 None as a direct result of this report.

**8.00 EQUALITIES IMPACT**

8.01 None as a direct result of this report.

**9.00 PERSONNEL IMPLICATIONS**

9.01 There are a number of items which will require continuing negotiation and discussion with trade unions over the coming months.

**10.00 CONSULTATION REQUIRED**

10.01 Consultation will be required as detailed above.

**11.00 CONSULTATION UNDERTAKEN**

11.01 Consultation with trade unions is ongoing, regular meetings are held with Trade Union representatives to discuss all strands of the service.

**12.00 APPENDICES**

12.01 None

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** HOUSING OVERVIEW & SCRUTINY COMMITTEE

**DATE:** WEDNESDAY, 24 APRIL 2013

**REPORT BY:** DIRECTOR OF COMMUNITY SERVICES

**SUBJECT:** ANTI-SOCIAL BEHAVIOUR POLICY

### **1.00 PURPOSE OF REPORT**

1.01 This purpose of this report is to introduce the Housing Service's proposed Antisocial Behaviour (ASB) Policy which is annexed to this report for ease of reference. It aims to describe the strategic context in which it sits both within the council, but also within the wider national context. The paper highlights the key policy issues and changes, and any potential challenges faced by the council. Members are asked to consider these points, in particular those areas which introduce significant changes such as at 3.07 and 3.09 of this report.

### **2.00 BACKGROUND**

2.01 The Antisocial Behaviour Act 2003, made it a legal requirement for social landlords in England and Wales to have an ASB Policy. This includes local authority landlords.

2.02 Flintshire County Council's ASB policy has been due to be updated to reflect best practice in this area of work, and to strengthen the council's commitment to preventing and tackling antisocial behaviour. The current policy was published in 2007.

2.03 The approach to antisocial behaviour by the Neighbourhood Management Team within Housing Services is closely linked to the work of the Council's Community Safety Team. This policy has been developed alongside the draft 'Community Safety Strategy' for the authority in order that they should complement each other.

#### **2.1 Definition of 'Antisocial Behaviour'.**

2.1.1 'Antisocial behaviour' means different things to different people. The type of behaviour the term is used to describe can range from serious criminal activity such as violence and drug dealing to less serious types of nuisance such as litter, untidy gardens and pet related nuisance. It can be perpetrated by groups or by individuals, and can be directed at a single person, or can affect a whole community.

The proposed ASB Policy refers to the current statutory definitions contained within the Housing Act 1996 and the Crime and Disorder Act 1998 as amended. The Housing Act definition adopts a lower threshold of “nuisance and annoyance” which is mirrored by the Council’s proposed revised Tenancy Agreement.

In order to benchmark the performance of the council with that of other local authority landlords and social housing providers, the council will utilise Housemark’s benchmarking service. Therefore a standard set of categories for recording anti-social behaviour will be required.

## **2.2 The role of housing services in tackling antisocial behaviour.**

2.2.1 Tackling ASB has increasingly become a function for local authority housing departments and their counterparts in the housing association sector. This has been reflected in the legislation over the last decade which has given providers of social housing more tools and powers to address the many types of anti-social behaviour that landlords, communities and residents are faced with.

There are a number of reasons why local authority housing providers and social landlords invest in tackling anti-social behaviour. In Flintshire, tenants tell us that feeling safe in their homes and neighbourhoods is important to them. These priorities were reflected in the choices document, and the pledges made to tenants have been incorporated into this draft policy.

There are sound financial reasons for preventing and tackling anti-social behaviour too. Antisocial behaviour which is left unchecked can affect the number of property terminations in an area, in addition to demand for properties, and undermine the sustainability of an area.

## **3.00 CONSIDERATIONS**

3.01 The proposed policy is much more explicit about its aims and objectives and how the council’s progress and achievements in meeting these aims will be measured, monitored and communicated. These are detailed in sections 1.4 – 1.5 of the policy. They focus on prevention of ASB, building confidence within our communities to report issues, taking decisive action when ASB occurs, improving value for money and reducing the impact of ASB.

3.02 The policy sets out the council’s approach to measuring the performance of the service. This approach has been widened to include benchmarking through Housemark, routinely surveying customers who have reported ASB, analysing the outcome of cases, and making use of wider indicators such as tenancy termination reasons, and property demand by location.

- 3.03 Through consultation with customers, it has been identified that communication of performance and outcomes can be further improved. The policy sets out a commitment to publicising performance information in section 1, but expands on this commitment in section 16 which details an approach to give routine consideration to the publication of case outcomes where legal action has been taken. This section of the policy has been developed in conjunction with the Council's Communications Manager, and the legal department to ensure that there is a robust approach to decision making when considering publicity, to prevent opportunity for legal challenges.
- 3.04 The policy also introduces a joined up approach with North Wales Police and the Community Safety Team in respect of identifying risk to victims and witnesses of antisocial behaviour. The approach uses a standardised risk assessment tool based on risk and protective factors, to highlight cases where more urgent or immediate intervention may be required. This is a change to the traditional approach of determining response by "category" of antisocial behaviour, and focuses on the harm experienced by the victim and witness. A copy of the risk assessment matrix being adopted by North Wales Police, and which the policy proposes is annexed to this report.
- 3.05 The proposed policy also introduces the use of Council/Customer Action Plans. This is an agreement drawn up between the customer and the Officer at the start of the case which sets out how the complaint will be investigated, how the customer will be contacted, and how often, and whether their details can be shared with third parties. This is to ensure that the way that the council goes about dealing with the problem that has been reported, meets the needs of the customer.
- 3.06 It is widely recognised that ASB does not just occur during office hours, and residents can be affected at any hour on any day. There are often 'peak periods' which can occur during evenings, at weekends, in the summer months and during sporting events. As such, the council recognises that victims and witnesses can be frustrated when they are unable to speak to their Housing Officer and need reassurance or specialist advice. To address this, the policy introduces an 'Out of Hours Witness Support Service' which can be made available to victims and witnesses at those times when the council is closed.
- 3.07 The policy proposes a much firmer stance on those who benefit from the proceeds of illegal drugs whether this is by cultivation, storage or selling of drugs. The council recognises that social housing is a precious resource and it is opposed to its premises being used by those who seek to benefit from illegal drugs. As such where a tenant or a member of their household is convicted of using a Flintshire

County Council property for the cultivation, storage or selling of illegal drugs, the authority, having regard to the individual circumstances of the case, will usually consider possession of the property as the most appropriate response.

- 3.08 There has been an increase in the number of cases which are brought to the attention of the council where the alleged perpetrator is vulnerable in some way. This can be as a result of their age (the council has been receiving complaints against people of pensionable age, or who live in sheltered housing), or people who are vulnerable due to disability, either physical or mental health. The policy recognises a need to develop further competencies and expertise in this area and the Council will make attempts to develop capacity and expertise through training, formal qualifications, sharing of good practice and through liaison with health and social care providers whilst working closely with our vulnerable tenants and impacted upon to find the most appropriate solutions.
- 3.09 The proposed policy also attempts to go a step further in recognising the frustrations felt by many residents who witness some tenants repeatedly breaching the terms of their tenancy agreement, and causing nuisance and annoyance to others. When these tenants are witnessed having new bathrooms, or kitchens, sometimes ahead of those tenants who have an impeccable tenancy record, it is understandable to most people why frustrations occur. The council has a duty however to meet its repairing obligations and to invest in its stock which are assets of the council. However, the draft policy puts forward a proposal to increase priority for planned improvement works for those tenants with clear tenancy records, whilst reducing priority for those tenants with a history of serious or persistent anti-social behaviour.

#### **4.00 RECOMMENDATIONS**

- 4.01 It is recommended that members consider the proposed changes to the policy and support the draft policy.

#### **5.00 FINANCIAL IMPLICATIONS**

- 5.01 The proposed policy refers to additional resources which have been approved for 2013/14. These are the appointment of an additional two Anti-Social Behaviour Officers which were agreed in the Choices Document and have been approved in the HRA Budget for 2013/14. The implementation of an out of hours witness support telephone service will cost £5.0k and this will be found from within the existing resources in the HRA.

#### **6.00 ANTI-POVERTY IMPACT**

- 6.01 No issues arising from this report.

**7.00 ENVIRONMENTAL IMPACT**

7.01 The proposed policy will have a positive environmental impact due to the commitment to tackle environmental anti-social behaviour affecting neighbourhoods where the council owns and manages homes.

**8.00 EQUALITIES IMPACT**

8.01 An Equalities Impact Assessment has been completed and the policy has been discussed at the Equalities Group with no requirement for any major changes. Positive feedback has been received in addition to comments on successfully implementing the policy with reference to customers from diverse backgrounds.

**9.00 PERSONNEL IMPLICATIONS**

9.01 2 additional staff to be recruited.

**10.00 CONSULTATION REQUIRED**

10.01 Further consultation work to be carried out targeting harder to reach customers.

**11.00 CONSULTATION UNDERTAKEN**

11.01 The draft policy has been developed in consultation with customers. Workshops have been held at two Customer Conferences and Customers have been invited to make comments on the development of the policy, including an advertisement to this effect placed in the Housing News Magazine in January 2013.

**12.00 APPENDICES**

12.01 Draft Anti-Social Behaviour Policy

12.02 Risk Assessment Matrix

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS AND APPENDICES**

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## **ANTI-SOCIAL BEHAVIOUR POLICY**

**Directorate of Community Services**

**County Offices**

**Chapel Street**

**FLINT**

**Flintshire**

**CH6 5BD**

DRAFT



## DIRECTORATE OF COMMUNITY SERVICES

### ANTI-SOCIAL BEHAVIOUR FULL POLICY STATEMENT

## 1 INTRODUCTION

- 1.1 *“We want Flintshire to be a County where people of all ages and from all backgrounds and abilities feel safe, confident, supported and protected from harm, including abuse and neglect.*

*We want to reduce the impact that crime and anti-social behaviour can have on the lives of people.”*

(Community Strategy 2009-2019)

- 1.2 It is now widely recognised that no single agency or organisation, can in isolation, resolve all issues of anti-social behaviour and the role of Social Landlords in tackling ASB has been increasingly acknowledged through the development of legislation in this area. This policy therefore, sets out the approach of Flintshire County Council’s Housing Department in preventing, reducing and tackling anti-social behaviour and its impact in our neighbourhoods. Throughout this policy the term “council” will be used to refer to Flintshire County Council.
- 1.3 The council recognises that the effects of anti-social behaviour can be far reaching, reducing the quality of life of victims and witnesses and their families and communities, impacting on the local environment, adversely affecting the local economy and putting extra pressure on public and third sector services. As such, a failure to tackle anti-social behaviour would pose a risk to the sustainability of our neighbourhoods.

**1.4 The outcomes we aim to achieve are to:**

- 1.4.1 Prevent anti-social behaviour from happening in the first place.
- 1.4.2 Increase confidence within the community to report anti-social behaviour
- 1.4.3 Reduce the impact of anti-social behaviour on victims, witnesses and those around them.
- 1.4.5. Take decisive action to tackle those who behave in an anti-social manner to stop it from happening again.
- 1.4.6 Provide a service that is value for money and which provides sustainable outcomes.

**1.5 How will we know if we are achieving our aims?**

- 1.5.1 We will survey all the users of our service to determine how satisfied customers were with the process and the outcome and whether they would be prepared to report ASB again.
- 1.5.2 We will measure our performance in relation to service standards that we will agree in consultation with our customers and publish this information.
- 1.5.3 We will benchmark the levels and type of reported ASB through Housemark, a national benchmarking organisation.
- 1.5.6 We will measure the percentage of cases that we deal with that are resolved, and we will review the sustainability of positive outcomes.
- 1.5.7 We will monitor property termination reasons and property offer refusals to ascertain the effects of ASB on the reputation of an area.

1.5.8 We will measure the number and success rates of our legal cases.

1.5.9 We will use the results of the STAR Survey (or similar) to measure how residents feel we are performing.

1.5.10 We will overlap our data with other Community Safety Partners to obtain a more holistic view of ASB in our neighbourhoods.

**1.6 The responsive service that we provide will be available to residents where one of the following conditions is met:**

1.6.1 The victim of the anti-social behaviour is a Flintshire County Council tenant, or is a member of their household, or was a visitor to their home at the time that the incident occurred and/or

1.6.2 The perpetrator of the anti-social behaviour is a Flintshire County Council tenant, or is a member of their household or was a visitor to their home at the time that the incident occurred and/or

1.6.3 The behaviour complained of is directly or indirectly affecting our housing management function.

1.7 The Policy also supports the aims of the Welsh Housing Management Standard for Tackling ASB.

1.8 The Housing Act 1996 (as amended by the Anti-Social Behaviour Act 2003) requires all social landlords to publish a statement of their policies and procedures for tackling ASB.

1.9 This full Statement of Flintshire County Council's Community Services Directorate Policy for tackling Anti-Social Behaviour is available for inspection at the County Offices, Chapel Street, Flint, Flintshire CH6 5BD and is available on the Flintshire County Council website. A hard copy will be supplied if requested for a reasonable charge.

1.10 A summary of this policy will be made available on request free of charge.

## **DIRECTORATE OF COMMUNITY SERVICES**

### **2 STATEMENT OF POLICY**

2.1 This Statement sets out the Policy of Flintshire County Council Community Directorate's approach to tackling anti-social behaviour.

#### **2.2 The Legal and Strategic Framework**

2.3 The Community Services Directorate approach must be seen within the context and framework created by legislation. Our Policies and Procedures have been written in accordance with existing legislation and are to be updated in accordance with new legislation.

2.4 The Policy also has regard to Guidance issued by the Welsh Ministers and good practice literature from a range of sources, including the Chartered Institute of Housing, Social Landlords Crime and Nuisance Group and the National Housing Federation.

2.5 The Policy also reflects the wider strategic aims and policy initiatives of both Flintshire County Council and its Community Services Directorate, and in particular those highlighted in the Community Strategy and associated documents.

2.6 The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002, sets out statutory requirements for "responsible authorities" to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder related issues in their areas.

2.7 The statutory partnerships are known as Crime and Disorder Reduction Partnerships or Community Safety Partnerships.

2.8 The "responsible authorities" usually include (but are not restricted to):

- 2.8.1 The Police
- 2.8.2 Local Authorities
- 2.8.3 Fire Authorities
- 2.8.4 Police Authorities
- 2.8.5 Primary Care Trusts

2.9 Section 17 of the Crime and Disorder Act 1998 requires all authorities to have due regard to the likely effect upon crime and disorder of anything they do in the exercise of any of their functions. Each Authority must also do all that it reasonably can to prevent and reduce crime and disorder in its area.

### **3 Definition of Antisocial Behaviour (ASB)**

3.1 The Housing Act 1996 defines anti-social behaviour as:

***“conduct which is capable of causing nuisance or annoyance to any person”***

3.2 The Crime and Disorder Act 1998 defines anti-social behaviour as behaving:

***“...in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself”***

3.3 The Authority will clearly establish and publicise through its [proposed] tenancy agreement the acceptable level of behaviour expected of its tenants, members of their household and visitors to their properties.

3.4 Anti-social behaviour can include the following examples and can be categorised under these headings to enable like for like benchmarking with other areas and housing providers:

- 3.4.1 Noise
- 3.4.2 Verbal abuse/harassment/intimidation/threatening behaviour
- 3.4.3 Hate-related incidents
- 3.4.5 Vandalism and damage to property
- 3.4.6 Pets and animal nuisance

- 3.4.7 Nuisance from vehicles
- 3.4.8 Drugs/substance misuse/drug dealing
- 3.4.9 Alcohol-related
- 3.4.10 Domestic abuse
- 3.4.11 Physical violence
- 3.4.12 Litter/rubbish/fly-tipping
- 3.4.13 Garden nuisance
- 3.4.14 Misuse of communal areas/public space or loitering
- 3.4.15 Prostitution/sexual acts/kerb crawling
- 3.4.16 Criminal behaviour/crime

The above is not a full list of what anti-social behaviour is but serves as a guide.

- 3.5 Additionally, the directorate intends to comply with the National Standards of Incident Reporting (NSIR) through the development of our case management system.

#### **4 Approach to Tackling Antisocial Behaviour (ASB)**

##### **4.1 Prevention**

- 4.2 The Council recognises that wherever possible preventing nuisance and anti-social behaviour from happening in the first place, is preferable to dealing with it after it has happened.

4.3 The Council's approach begins at the application process where potential new tenants are asked to disclose any relevant criminal convictions, or previous enforcement action as a result of anti-social behaviour. The Authority takes a firm but fair approach to assessing applications by individuals and families who have a history of anti-social behaviour. In some cases the Council may decide that an applicant is to be treated as ineligible for allocation to a tenancy with the Council as a result of his or her past unacceptable behaviour, or the behaviour of a member of his or her household.

4.4 Each application and the surrounding circumstances will be considered individually before reaching a decision to treat an applicant as ineligible because of past unacceptable behaviour.

4.5 Chapter 1 of Part 5 of the Housing Act 1996 allows local housing authorities and Housing Action Trusts to adopt an introductory tenancy scheme for all new tenants. Flintshire County Council offers all new tenants an introductory tenancy. These last for 12 months and are like a 'trial' period.

The tenant(s) automatically become a secure tenant after 12 months, unless the council has either:

- started action to evict the tenant
- extended the introductory tenancy for a further 6 months

There are restrictions of the rights of an introductory tenant, for example, they are not permitted to:

- make major improvements to the property
- swap your property with another council tenant
- apply for the Right to Buy scheme

4.6 Where the council has evidence that an introductory tenant is responsible for serious or persistent anti-social behaviour, the council will use its discretion to determine the most appropriate response. Where the behaviour complained of is so severe and/or is criminal in nature, the decision to serve notice to commence proceedings to end the tenancy may be deemed to be the most appropriate response.

4.7 The obligations of the tenancy and the responsibilities of being a tenant with the Authority are explained to prospective tenants before they sign the tenancy agreement so that they are fully aware of the standards of behaviour that are expected.

4.8 The Authority is also able to take steps to prevent ASB through environmental improvements and through target hardening areas and properties which may be

at risk. The Authority also reserves the right to develop local lettings policies and to make 'sensitive lets' in dwellings that have been, or may be connected to anti-social behaviour.

## **5 Support for Complainants, Victims and Witnesses of ASB**

- 5.1 The Authority recognises that being a victim of, or witnessing anti-social behaviour can be a stressful and upsetting experience. It is also acknowledged that the decision to report ASB is sometimes a difficult and complex process. Complainants can be fearful of reprisals, be unsure who to report incidents to, and be worried about whether they will be believed. **The council will aim to ensure that training is provided to all ASB and Housing Officers in how to interview victims and witnesses of ASB.**
- 4.2 When an initial complaint of anti-social behaviour is made, the officer in receipt of the complaint will use the national risk assessment matrix to help them determine whether the complainant is at high risk. This is so that immediate steps can be taken to reduce the risk to the victim if deemed necessary.
- 4.3 Where officers determine that the complainant is high risk, they will attempt to work with the victim or witness and any other necessary partner agencies to try to manage and reduce the risk. This may mean taking immediate action if someone has been threatened with violence and there is a significant risk of harm, or it may mean providing extra security to someone's home. In extreme cases, it may even mean finding someone temporary accommodation whilst the problem is resolved.
- 4.4 The council will seek to assign a named officer to each case, so that the victim or witness will have a 'named contact' within the council who they know they can contact. This person will be the investigating, and may be a Housing Officer or Antisocial Behaviour Officer depending upon the severity or complexity of the issue.

In most cases, the Investigating Officer will usually agree an 'Action Plan' with customers who report anti-social behaviour so that they can discuss and agree



when, how often and in what manner the customer will be contacted to provide them with progress updates on their case and what steps each party will take to resolve the problem. The most successful outcomes occur when residents and officers work co-operatively together. This 'Action Plan' will ensure that case planning is consensual and meets the needs of the victim. In the event of a victim or witness requesting actions that cannot be accommodated, reasons will be provided.

- 4.5 The Authority recognises that ASB often occurs outside of normal office hours and that victims and witnesses often feel that this is the time when they most need to speak to someone to report what is happening. In order to make provision for an out of hours service, the Authority will employ a specialist service who are able to provide witness support at night, and during weekends and bank holidays.
- 4.6 Customer confidentiality will be respected at all times. Details of the complainant's identity or that of any other witnesses will never be disclosed to the alleged perpetrator (or anyone acting on behalf of the perpetrator) by the council without consent. The only exceptions to this are where disclosures become necessary for safeguarding reasons and/or a disclosure of the information is ordered by the Court.
- 4.7 Sometimes, the most effective resolution is to apply to the Court for an order to make the anti-social behaviour stop. The council recognises that this can be quite a daunting prospect for victims and witnesses who may never have been into a court before. The best witness evidence is that which is given personally, in the court by the witness. In some circumstances, the council can apply to the court for 'special measures' where for example, witnesses can give evidence from behind a screen or via a video link. Special measures are subject to the agreement of the court.

There are also measures that can be taken to enable anonymous statements, or use of hearsay evidence and these will be fully explained to victims and witnesses so that they can make informed choices.

4.8 Sometimes complaints are made anonymously either over the telephone or in writing. The Authority will, where appropriate, look into the complaint made but we will be unable to feedback to the complainant and may not be able to take as effective action as we would be able to if we had contact details. Where complaints are made anonymously over the telephone, we may explain our approach to confidentiality in case management in order to encourage the complainant to provide us with their details.

## **5 Investigating the Complaint**

5.1 In most circumstances it will be necessary to thoroughly investigate the complaint that has been made before any legal action is taken. In some circumstances however, for example, where there is an immediate risk of harm, the council may have to review the evidence that it has available to make a decision on whether an emergency application for injunctive relief is required.

5.2 Investigations may include (but are not limited to) interviews with the victim(s), witness(es) and perpetrator(s), site visits, CCTV installation, noise monitoring, use of professional witnesses and liaison with other agencies.

5.3 The investigation will be carried out thoroughly and without bias by an appropriately trained officer of the council. Records of the investigation and any subsequent findings will be recorded on the Authority's case management system.

5.4 The primary aim at all times will be to end the anti-social behaviour, and reduce the likelihood of it recurring.

5.5 Where the Investigating Officer has found evidence of anti-social behaviour they will consider the most appropriate intervention(s), remedy and sanction(s)

## **6 Exchange of Information**

6.1 Section 115 of the Crime and Disorder Act 1998 provides a power to exchange information where disclosure is necessary to support the local Crime and Disorder (Community Safety) Strategy or objectives outlined within it. This must be

primarily aimed at reducing crime and disorder in accordance with the Act's provisions.

- 6.2 Section 115 puts beyond doubt the power of any organisation to disclose information to Chief Officers of Police, Police Authorities, Local Authorities, Probation, Health Authorities, or to persons acting on their behalf. These bodies also have the power to use this information. Section 115 provides a power to share information but does not override other legal obligations such as the common law duty of confidence, the requirements of the Human Rights Act, compliance with the 1998 Data Protection Act or other relevant legislation governing disclosures.
- 6.3 Information as to any relevant criminal charges, cautions and convictions against an individual may be disclosed, as may details of any relevant calls made to the Police in relation to a particular address or visits made by the Police to an address. Relevant information may be shared about an individual's involvement with a particular agency (e.g. Probation Services). Other information relevant to the investigation of a case and in an effort to address the behaviour of the individual concerned may also be disclosed.
- 6.4 Flintshire County Council is a signatory to Flintshire Community Safety Partnership Information Exchange Protocol, which allows information to be exchanged under the Crime and Disorder Act 1998. The Police, who are also a signatory to this protocol, have an important and general power at common law to disclose information for policing purposes, which includes the prevention of ASB.

## **7 Multi-Agency Approach**

- 7.1 The council recognises that frequently a multi-agency or multi-departmental approach will be required to resolve anti-social behaviour.
- 7.2 Housing Services will on all occasions seek to be represented on the ASB Joint Action Group to enable joined up problem solving around victims, perpetrators and locations.

## **8 Non-Legal Remedies**

- 8.1 It is usually more effective to intervene quickly and assertively to resolve issues.
- 8.2 Housemark estimate that there are approximately 300,000 cases of anti-social behaviour reported to Local Authority Housing Departments and other social landlords each year (Housemark 2011/12 Benchmarking Report) and of these only 1.6% was resolved through the use of legal action with earlier interventions, warning letters and formal interviews with perpetrators being the most common methods of resolving complaints.
- 8.3 Prior to legal action being commenced, it is usually the expectation of the Court that the Council will have made efforts to resolve the ASB using non-legal remedies unless the behaviour is of a particularly serious nature. It is also the aim of the Authority to try to resolve complaints of ASB without taking legal action where possible. The use of Acceptable Behaviour Agreements and Parenting Agreements will therefore be considered in appropriate cases.
- 8.4 The Council will also promote the use of Restorative Practice in appropriate cases in order to make perpetrators accountable for their behaviour, and take steps to put right any harm that has been done.
- 8.5 Sometimes, when a complaint has been investigated, the Council may decide the behaviour complained is not nuisance which the council can take enforcement action to resolve. Sometimes this will be due to a clash of lifestyles, for example someone using their washing machine in the day when their neighbour works nights and sleeps in the day, other times it may be due to differences of opinion or behaviours which may be described as “inconsiderate” rather than “anti-social”. In such cases, the Council will still try to offer suggestions and solutions to resolve the dispute, but ultimately where disagreement continues, and the Council has no powers to act, the case will need to be closed.

## **9 Recognition for tenants who do not commit anti-social behaviour**

- 9.1 The Council recognises that it is extremely dis-heartening to local residents who see tenants of the authority behaving anti-socially only to seemingly be rewarded with a range of improvement works, such as new kitchens and bathrooms whilst

other tenants with impeccable tenancy conduct, may have to wait for their improvements, as priority for works is currently based upon geographical location. The council recognises that whilst it does need to invest in the stock that it owns, it is possible to give preference to those tenants who do not behave in an anti-social manner ahead of those who are responsible for causing serious or persistent nuisance and anti-social behaviour.

- 9.2 It is the policy of the authority therefore, that when a tenant or member of their household is served with any kind of Notice for ASB, is subject to a Court Order for ASB or the authority is pursuing an order against the tenant (or member of their household) due to ASB that their priority for improvement works should be decreased so that preference is given to those tenants who do not commit ASB.
- 9.3 This will not affect the repairing obligations which the council is required to meet.

## **10 Legal Remedies**

- 10.1 The Authority aims to tackle anti-social behaviour as quickly and efficiently as possible. In most cases this will result in early intervention by Investigating Officers to nip problems in the bud, but in more serious, complex or persistent cases, it may be necessary for the Authority to take legal action against the perpetrator.
- 10.2 The Authority employs a team of specialist Anti-Social Behaviour Officers. These Officers are trained to secure effective legal remedies when these are the most appropriate response.
- 10.3 Local authority landlords are able to apply for a range of court orders to address nuisance and anti-social behaviour. The Authority is committed to making best use of these legal powers to resolve cases without the need to evict alleged perpetrators. The Home Office have expressly stated that evicting someone from their home should be “a last resort to be used exceptionally and where other interventions to tackle anti-social behaviour have been tried and failed”

Eviction of Secure tenants will only be considered as a last resort when other remedies have been tried and failed, or when the authority deems a particular

case of ASB to be so serious that possession is the most appropriate response in the circumstances.

- 10.4 The Authority has a responsibility to all of its tenants and therefore before considering any possession proceedings will need to consider the behaviour of the alleged perpetrator and its impact upon the local community.
- 10.5 Where the tenant is still an introductory tenant in their probationary period, and there are any breaches of tenancy, the Council will take steps to let the tenant know, so that they can put them right. Breaches of tenancy conditions will be investigated and if not resolved, the Council may take action to extend or end the tenancy.
- 10.6 An Introductory tenant legally has the right to ask for a review of the decision to end or extend their introductory tenancy.
- 10.7 If the tenant asks for a Review, they will also have the right to attend, take someone with them, send someone to represent them to the Review and speak or ask questions. They could also make a written representation. The tenant is only entitled to a review if they request a review of the decision. The tenant must do this before the end of the period of 14 days beginning with the day on which the Notice has been served. It is helpful if the tenant does this by returning the Review Request Form provided with the Notice. The Council will then arrange a Review and inform the tenant of the time and place, within 5 working days.

However, if the tenant does not request a Review within 14 days they will lose their right to a Review.

## **11 Rehabilitation and support for perpetrators**

- 11.1 The Authority recognises that some people need help to change their behaviour. As such, where Officers identify support needs they will make appropriate referrals or signpost perpetrators to agencies or organisations that can provide support.

11.2 There are a wide range of agencies in Flintshire providing help and support services and Officers will be able to signpost people to the appropriate one, depending upon the support needs of the individual.

## **12 Vulnerable Persons**

12.1 The Authority acknowledges that some vulnerable residents, including those with learning or physical disabilities; mental health illness or other support needs, may have their behaviour perceived as anti-social. Where the council becomes aware of such instances we will endeavour to work with individuals, support providers and the community where possible to find an effective solution.

12.2 Anti-social behaviour Officers must try to balance the need to protect individuals and communities from anti-social behaviour with the needs of a vulnerable perpetrator. If a perpetrator is thought not to have 'mental capacity' they may not be able to understand what is wrong with their behaviour. If an application for an order is made in court, they may not be able to understand the proceedings, the requirements of the order or what constitutes a breach.

12.3 ASB Officers will make efforts to consult with health and social care practitioners where they suspect that the perpetrator of the ASB does not have mental capacity.

## **13 Cultivation, Distribution, Selling or Supply of Illegal Drugs**

13.1 The Authority recognises the misery that can be caused by the use illegal drugs in our communities. We can identify the links to crime and disorder and the subsequent impact on our local economy and the increased pressure that illegal drugs can place on public services. The Authority acknowledges the crucial role that it can play in taking a firm stance against those who unlawfully benefit through the illegal cultivation, distribution, sale and supply of illegal drugs.

13.2 It is the policy of the Authority that while all cases will be considered on a individual basis having regards to the particular circumstances of the case, in

most cases where a tenant has been convicted of cultivating, selling, distributing or supplying illegal drugs legal action for possession of the property will be commenced.

13.3 The Authority is aware however, that in some circumstances, the homes of vulnerable tenants are 'taken over' by criminals who intimidate the individual into activities around illegal drug production or distribution. In such circumstances, it is the policy of the council to work with the police to bring the offenders to justice. However, there will be a clear expectation that the tenant will co-operate with the council and the police to enable this to happen. Failure to co-operate, and/or where the Investigating Officer finds no evidence that the tenant has been coerced into illegal activity may result in legal action against the tenant.

13.4 Where tenants are drug users with no associated nuisance activity rather than criminals who seek to benefit from the proceeds of illegal drug supply, a more supportive approach will be taken. Officers of the council are able to make referrals for specialist support or signpost tenants to appropriate agencies.

## **14 Hate Crime and Hate Incidents**

14.1 Hate crimes and incidents are any crimes or incidents that are targeted at a person because of hostility or prejudice towards that person's:

- disability
- race or ethnicity
- religion or belief
- sexual orientation
- transgender identity

They can be perpetrated against the person or the property, and the victim does not have to be a member of the group at which the hostility is targeted.

14.2 The view of the Authority is that none of its residents should be harassed or targeted due to any of the above characteristics. It is the aim of the Council to continuously develop its approach to tackling hate crime and incidents and will do so in partnership with North Wales Police.



- 14.3 The Authority is aware that recent research suggests that hate related crimes and incidents are under-reported, particularly those where disabled people are targeted. The Council will work closely with partners to increase awareness of what constitutes a hate crime or incident, and to provide ways in which hate crimes and incidents can be identified and reported. This includes establishing the Neighbourhood Housing Team as a Community Reporting Facility in conjunction with North Wales Police, and training Housing Officers and ASB Officers to be able to recognise and report incidents, and to take steps to facilitate effective support for victims and witnesses.
- 14.4 The Authority will take prompt and decisive action to deal with any tenant where there is evidence of them perpetrating hate crime. This may include applying for an injunction to protect the victim.

## **15 Domestic Abuse**

- 15.1 The Council's [proposed] Tenancy Agreement makes it clear that domestic abuse is unacceptable behaviour. By 'Domestic Abuse' we refer to the widened definition which will be implemented across government from March 2013. The widened definition is as follows:
- 15.2 Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:
- psychological
  - physical
  - sexual
  - financial
  - emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed

for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

- 15.3 It is the policy of the Authority to treat all disclosures of domestic abuse confidentially. The exceptions to this are where a child or vulnerable adult would be put at risk. In such cases, it will be made clear to the reporting person that the information would need to be shared with other agencies to facilitate effective safeguarding.
- 15.4 This policy therefore should be read alongside our policy for safeguarding vulnerable adults and children.
- 15.5 Reports of domestic abuse will be referred to the ASB Team who will attempt to make contact with the victim within one working day in order to carry out an initial risk assessment with them. This is subject to the victim having made available their contact details, being agreeable to such contact and being available for such contact. In some circumstances it will not necessarily be safe for an Officer to make contact and each case will need to be assessed individually.
- 15.6 The Council will offer victims of domestic abuse a named officer who will deal with their case, and will aim to offer a choice of a male or female officer.
- 15.7 **A DASH risk assessment** will be used to assess risk. This is a national Domestic Abuse, Stalking and Honour Based Violence (DASH 2009) Risk Identification, Assessment and Management Model. Its introduction means that all police services and a large number of partner agencies across the UK will be using a common checklist for identifying and assessing risk, which will save lives. ACPO [Association of Chief Police Officers] Council accredited the DASH (2009) Model to be implemented across all police services in the UK from March 2009. Where it is identified that there is a high risk, a referral will be made to the Multi-Agency Risk Assessment Conference (MARAC).

- 15.8 Where urgent action is required as a result of the risk assessment, it will be the responsibility of the named officer to facilitate this. This may include urgent target hardening (usually referred to as Sanctuary), emergency/temporary re-housing, and request for a critical marker and/or legal action.
- 15.9 The Authority will make referrals for appropriate support where possible, which may include the IDVA [Independent Domestic Violence Advocate] service.
- 15.10 **IDVAs** are trained specialists who provide a service to victims who are at high risk of harm from intimate partners, ex-partners or family members, with the aim of securing their safety and the safety of their children. Serving as a victim's primary point of contact, IDVAs normally work with their clients from the point of crisis, to assess the level of risk, discuss the range of suitable options and develop safety plans. They are pro-active in implementing the plans, which address immediate safety, including practical steps to enable victims to protect themselves and their children, as well as longer-term solutions. IDVAs will represent their clients at the Multi Agency Risk Assessment Conference (MARAC) and help implement safety plans which will include actions from the MARAC as well as sanctions and remedies available through the criminal and civil courts, housing options and services available through other organisations. IDVAs support and work over the short- to medium-term to put victims on the path to long-term safety. (Source – The Home Office, 2012)
- 15.11 Where a victim has fled their home which is a Council Property due to violence or abuse and the perpetrator remains in situ, the Council may initiate legal proceedings to re-possess the property. Where the tenancy is a joint tenancy and the vacating tenant serves a notice to end the tenancy this would have the effect of terminating the tenancy for both tenants. In such circumstances the tenant will be advised of this, and a recommendation will be made that the tenant should obtain their own independent legal advice before giving notice to end the tenancy.

15.12 Sometimes victims of domestic abuse find themselves the subject of complaints by neighbours due to the behaviour of the perpetrator. In cases where domestic abuse comes to light during the course of an anti-social behaviour investigation, the Neighbourhood Housing Manager should be advised who will advise of the best course of action. This may involve liaising with the Domestic Abuse Co-ordinator, Community Safety Team and/or other agencies. It is not the intention of the council to penalise victims of domestic abuse for the behaviour of their abusive partner (or ex-partner or other family member) over whose behaviour they have no control. There is however, an expectation that a victim of domestic abuse should work with the Council to address the problems as the council has a responsibility to the wider community as well who may also be affected by the behaviour. Each case will therefore be addressed on an individual basis, considering the various factors of the situation.

## **16 Effective Communication & Publicising Information**

- 16.1 The Community Services Directorate, through its Tenancy Conditions, Customer Involvement Officer, Housing Newsletter, information and advice booklets and the local media, will ensure that tenants and residents of Flintshire are aware and reminded of their responsibilities to their neighbours and communities in relation to their conduct and behaviour. The consequences and sanctions of engaging in ASB will be similarly publicised.
- 16.2 The Authority recognises the importance of communicating successful action, not just to the victims and witnesses who are directly involved in cases, but also to the wider community.
- 16.3 This communication is vital to reassure residents, and to encourage reporting of incidents so that anti-social behaviour can be tackled.
- 16.4 Often court orders will contain prohibitions imposed by the court and it is necessary for the local community to be aware of the detail so that they can report any breaches of the order.

- 16.5 The Authority recognises that those subjected to a court order who have their details published, may view this as a punitive measure, however, it is not intended to be so.
- 16.6 Following guidance from the Home Office set out in 2005, the Authority has devised a pro forma to record its decisions to publicise ASB cases and outcomes and a copy of these will be retained by the Council.
- 16.6.1 The decision to publicise information will involve a 'necessity test' to satisfy that one or more of the following aims for publicising information is relevant.
- To notify the public that a court order has been obtained in order to reassure the public that action has been taken.
  - To notify the public of specific court orders so that they can assist in their enforcement.
  - To act as a deterrent to anti-social behaviour.
- 16.7 The pro forma which will be completed by the Anti-Social Behaviour Team and initially approved by the Neighbourhood Housing Manager will be sent to the Head of Housing and Executive Member for Housing for their approval and comment. This will include consideration of the following; the main objectives of the publicity, the decision to publish, the decision making process, what publicity should look like, human rights, data protection, type of publicity, and extent of information to provide.
- 16.8 Each case will be considered on its own individual merits, and careful consideration will be given to publicising actions where any of the parties are considered to be vulnerable.
- 16.9 This will then be referred to the Corporate Communications Team who will prepare any press releases, or other forms of information to be communicated.

## **17 Commitment to Service Improvement**

17.1 Flintshire County Council's Community Services Directorate will strive to provide excellent services which meet the needs of customers.

17.2 We aim to continually evolve the service to make best use of the tools and powers available and to ensure that the services we buy in and the service we provide are good value for money.

17.2.1 By consulting with customers we aim to shape what we do in partnership with our customers. This also means being proactive about involving hard to reach customers and considering the diverse needs of our residents.

17.3 We will aim to provide transparent performance information so that our customers can see how we are performing in relation to the targets we will set ourselves.

17.4 We will aim to benchmark our performance against that of other social landlords and councils so that we can make meaningful comparisons and identify areas for improvement.

17.5 We will monitor customer satisfaction with our service, and we will use the feedback that we get from customers to raise the bar on our performance.

17.6 We will offer regular, up to date training for our staff to enable them to effectively carry out this difficult and challenging work.

## **18 Equality & Diversity**

18.1 The Authority aims to ensure that its ASB Policy respects and upholds the organisation's commitment to equality and diversity and in a manner that is fair to all regardless of their; age, religion & belief, disability, gender, race, sexual orientation, transgender status, marriage & civil partnership, pregnancy & maternity or any other issue that may cause potential discrimination in service delivery.

18.2 The Authority will ensure that where necessary it assists anyone needing to access this service. This may include providing assistance to access translation services, type-talk and providing literature in a range of formats such as larger text, picture and Braille formats or in different colours.

18.3 In compliance with the Council's Welsh Language Scheme, all services and documents can be made available in Welsh where this is required by customers.

## **19. Health & Safety**

19.1 All activities carried out by the Authority will be in accordance with the Health & Safety Management system including risk assessments and accompanying safe systems of work.

## **20 Consultation, Monitoring and Review**

21.1 The Authority will consult with customers, partner agencies and organisations and the voluntary sector to continually develop good practice in this area.

22.3 The Authority will monitor the effectiveness and implementation of this policy to ensure that it achieves its aims of protecting its tenants and residents of its communities.

23.4 The Authority will benchmark its ASB service using Housemark to review the effectiveness of its activities and performance.

24.5 We will periodically review our policy and procedures for tackling ASB and will always have due regard to legislative requirements and best practice.

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## ASB "Triage" Risk Assessment Questions

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For all new complaints of anti-social behaviour, the following questions should be asked initially of the complainant. If they answer **YES** to one or more of the questions then you will need to complete a full risk assessment with them to ensure that adequate support is then provided.

If the complainant answers **NO** to all 4 questions there is no need to complete the full assessment. Simply score each page of the risk assessment as 0 and forward to the relevant person/organisation.

### The initial 4 questions are:

1. Do you think that you or someone else is being deliberately targeted?  
Yes  No
2. Has yours, or anyone else's health been affected by this and/or previous incidents?  
Yes  No
3. Are you experiencing regular, persistent anti-social behaviour?  
Yes  No
4. Are you without support from family, friends or professionals (e.g. a Social Worker?)  
Yes  No

## FULL RISK ASSESSMENT VULNERABILITY MATRIX

**Name:**..... **Address:** .....

**D.O.B** .....

**Tenure:** Home Owner / Private Rented / FCC or RSL Tenant (please circle)

**If RSL which organisation** .....

**This scorecard is designed to help you identify vulnerable victims, witnesses and complainants.**

**It should be used as a guide and in combination with your own judgement (and that of your neighbourhood partnership) to help ascertain what support and protection is required in any given situation. All action taken as a result of your assessment should be discussed with the witness to ensure it meets their needs.**

<b>H I S T O R Y</b>	1. Other than this occasion – how often do you have problems?	5 3 2 1 0	Daily Most days Most weeks Most months Only occasionally
	2. Do you think the current incident is linked to previous incidents?	2 0	Yes No
	3. Do you think that incidents are happening more often and/or are getting worse?	2 0	Yes No
	4. Do you know the offender/s?	2 1 0	They know each other well They are 'known' to each other They do not know each other
	5. Does the perpetrator (or their associates) have a history of or reputation for intimidation or harassment?	6 4 2 0	Perpetrator or their associates are currently harassing the complainant Perpetrator or their associates have harassed the complainant in the past Perpetrator or their associates have not harassed the complainant but have a history or reputation for harassment or violent behaviour Perpetrator or their associates have no history or reputation for harassment or intimidation
	6. Have you informed any other agencies about what has happened? If yes, are you happy for us to discuss this problem with them?	0 1	Yes No

V U L N E R A B I L I T Y	7. Which of the following do you think that this incident deliberately targeted?	4 3 1 0	You Your family Your community None
	8. Do you feel that this incident is associated with your faith, nationality, ethnicity, sexuality, gender or disability? Details:	3 0	Yes No
	9. In addition to what has happened, do you feel that there is anything that is increasing you or your household's personal risk ( eg because of personal circumstances) Details:	3 0	Yes No
	10. How affected do you feel by what has happened? Details:	0 1 2 3 5	Not at all Affected a little Moderately affected Affected a lot Extremely affected
S U P P O R T	11. Has yours or anyone's health been affected as a result of this and any previous incidents? Details	3 3	Physical health Mental health
	12. Do you have a social worker, health visitor or any other type of professional support? Can we speak to them about this? Details:	0 1	No Yes
	13. Do you have any friends and family to support you?	3 3 1 0	Complainant lives alone and is isolated Complainant is isolated from people who can offer support The complainant has a few people to draw on for support The complainant has a close network of people to draw on for support
	14. Apart from any effect on you, do you think anyone else has been affected by what has happened? Details:	1 2	Your family Local community Other
	<b>TOTAL SCORE</b>		

**Based on these factors and your own judgment, adjust the scoring accordingly**

**LOW 0 8 12 16 20 MEDIUM 22 24 26 28 30 HIGH**

The suggestions below are there as a guide only and should be used in combination with other local resources and your own judgement of what support and protection are required in any given situation. All action taken as a result of your assessment should be discussed with the witness to ensure it meets their needs.

<b>34</b>	<b>H I G H</b>	<p><b>Refer To:</b></p> <p><b>POLICE (URGENT RESPONSE, CRITICAL MARKER etc)</b></p> <p><b>RELEVANT ASB OFFICER (IF A TENANT)</b></p>
<b>36</b>	<b>H I G H</b>	<p><b>COMMUNITY SAFETY TEAM – COUNTY HALL</b></p> <p><b>SUPPORT SERVICES / MENTAL HEALTH etc</b></p>
<b>28</b>		<p><b>TARGET HARDENING</b></p> <p><b>NEIGHBOURHOOD WARDENS</b></p> <p><b>NEIGHBOURHOOD WATCH</b></p>
<b>26</b>	<b>M E D I U M</b>	<p><b>Refer To:</b></p> <p><b>POLICE/PCSOs</b></p>
<b>24</b>		<p><b>LOCAL HOUSING OFFICE (IF A TENANT)</b></p>
<b>22</b>		<p><b>COMMUNITY SAFETY TEAM – COUNTY HALL</b></p> <p><b>NEIGHBOURHOOD WARDENS</b></p>
<b>20</b>		<p><b>NEIGHBOURHOOD WATCH</b></p>
<b>18</b>		<p><b>Refer To:</b></p> <p><b>POLICE/PCSO</b></p>
<b>16</b>	<b>L O W</b>	<p><b>LOCAL HOUSING OFFICER (If tenant)</b></p>
<b>8</b>		<p><b>NEIGHBOURHOOD WARDENS</b></p>
<b>4</b>		
<b>0</b>		<p><b>NEIGHBOURHOOD WATCH</b></p>

### **Consent to information sharing**

**Do you consent to agencies obtaining and sharing information as part of the multi-agency work to help and secure your safety and that of your family/household?**

**YES/NO**

**If there are child protection concerns, information will be shared regardless of consent.**

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **HOUSING OVERVIEW & SCRUTINY COMMITTEE**

**DATE:** **WEDNESDAY, 24 APRIL 2013**

**REPORT BY:** **HOUSING AND LEARNING OVERVIEW & SCRUTINY FACILITATOR**

**SUBJECT:** **FORWARD WORK PROGRAMME**

### **1.00 PURPOSE OF REPORT**

1.01 To consider the Forward Work Programme of the Housing Overview & Scrutiny Committee.

### **2.00 BACKGROUND**

2.01 Items feed into a Committee's Forward Work Programme from a number of sources. Members can suggest topics for review by Overview & Scrutiny Committees, members of the public can suggest topics, items can be referred by the Cabinet for consultation purposes, or by County Council, or Directors. Other possible items are identified from the Cabinet Work Programme and the Strategic Assessment of Risks & Challenges.

2.02 In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows:

1. Will the review contribute to the Council's priorities and/or objectives?
2. Are there issues of weak or poor performance?
3. How, where and why were the issues identified?
4. Do local communities think the issues are important and is there any evidence of this? Is there evidence of public dissatisfaction?
5. Is there new Government guidance or legislation?
6. Have inspections been carried out?
7. Is this area already the subject of an ongoing review?

### **3.00 CONSIDERATIONS**

3.01 Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work Programme of the Committees of which they are members. By reviewing and prioritising the forward work programme Members are able to ensure it is member-led and includes the right issues. A copy of the Forward Work Programme is attached at Appendix 1 for Members' consideration which has been updated following the last meeting.

**4.00 RECOMMENDATIONS**

4.01 That the Committee considers the draft Forward Work Programme attached as Appendix 1 and approve/amend as necessary.

**5.00 FINANCIAL IMPLICATIONS**

5.01 None as a result of this report.

**6.00 ANTI POVERTY IMPACT**

6.01 None as a result of this report.

**7.00 ENVIRONMENTAL IMPACT**

7.01 None as a result of this report.

**8.00 EQUALITIES IMPACT**

8.01 None as a result of this report.

**9.00 PERSONNEL IMPLICATIONS**

9.01 None as a result of this report.

**10.00 CONSULTATION REQUIRED**

10.01 N/A.

**11.00 CONSULTATION UNDERTAKEN**

11.01 Publication of this report constitutes consultation.

**12.00 APPENDICES**

12.01 Appendix 1 – Forward Work Programme.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

None.

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**CURRENT FWP**

<b>Date of meeting</b>	<b>Subject</b>	<b>Purpose of Report</b>	<b>Scrutiny Focus</b>	<b>Responsible / Contact Officer</b>	<b>Submission Deadline</b>
<b>5 June 2013</b>	<b>Quarterly Performance Reporting</b>	To consider Q4, year end outturns for improvement targets.	Performance Monitoring	Director of Community Services	<b>29 May 2013</b>
	<b>Community Services Directorate Plan</b>	To consider the Community Services Directorate Plan	Performance Monitoring	Director of Community Services	
	<b>Housing Service Plan</b>	To consider the Housing Service Plan	Performance Monitoring	Head of Housing	
<b>10 July 2013</b>	<b>Collaborative Working within Housing Services</b>	To receive and consider current and future collaborative initiatives.	Service Improvement	Head of Housing	<b>1 July 2013</b>
	<b>HRA Subsidy</b>	To receive an update on the potential amendments to the HRA Subsidy, to include proposals to meet the WHQS.	Service Improvement	Head of Housing	
	<b>PDA and Capita Update</b>	The committee resolved at its October and December meetings to receive an update on a regular basis.	Service Improvement / Progress Monitoring	Head of Housing	

**ITEMS TO BE SCHEDULED as agreed by Committee**

Item	Purpose of Report	Responsible / Contact Officer
<b>The use of Consultants</b>	To examine the number and type of consultants used.	Head of Housing
<b>Welfare Reform</b>	To consider progress in handling the impact of Welfare Reform.	Head of Housing
<b>Supporting the development of affordable housing in the County, including development of the private rented sector.</b>	To consider various initiatives to deliver affordable housing and to develop the private rented sector.	Head of Housing
<b>Review of Garage Sites</b>	To consider long term solutions for garage sites and the provision of garages.	Head of Housing

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**REGULAR ITEMS**

Month	Item	Purpose of Report	Responsible / Contact Officer
<b>Quarterly / Annual</b>	<b>Performance Reporting</b>	To consider performance outturns for improvement targets against directorate indicators.	Director of Community
<b>Six monthly</b>	<b>Update on Repairs and Improvements</b>	To enable Members to monitor the approach and effectiveness of repairs and improvements to the Council's housing stock, to include void management.	Head of Housing

Month	Item	Purpose of Report	Responsible / Contact Officer
Quarterly	Sheltered Housing Improvement Project	To receive progress with the review on sheltered accommodation.	
Six monthly	Private Sector Housing Renewal	To consider progress on the delivery of Flintshire's first Renewal Area, general service development and county wide projects.	Head of Housing
Quarterly	Collaborative Working within Housing Services	To receive and consider current and future collaborative initiatives.	Head of Housing

**APPENDIX B****STRATEGIC ASSESSMENT OF RISKS AND CHALLENGES**  
**TOPICS ALLOCATED TO OVERVIEW & SCRUTINY COMMITTEES****SECTION 1 - COMMUNITY LEADERSHIP**

Category	Risk Reference	Title	Committee
Strategic Partnerships	CL04	Affordable Housing	Housing

**SECTION 2 - COUNCIL DELIVERY**

Category	Risk Reference	Title	Committee
Environment	CD08	Shotton and Deeside Renewal Area	Housing
Housing	CD12a	Housing Strategy	C&H

Category	Risk Reference	Title	Committee
	CD12b	Housing Management	C&H
	CD12c	Housing Repairs & Maintenance	C&H
	CD12d	Homelessness	C&H
	CD12e	Sheltered Housing	Housing
	CD14	Housing Ballot	C&H
	CD19	Gypsies and Travellers	C&H
Social Care	CD26	Disabled Facilities Grants	S&H and Housing (joint meetings)